

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

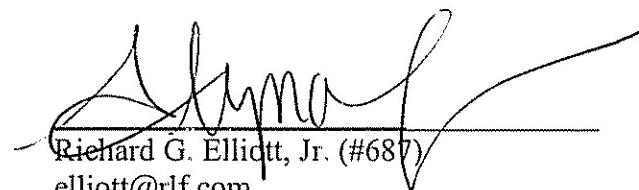
HESTAL LIPSCOMB,)
)
Plaintiff,) C.A. No. 05-477-SLR
)
)
v.)
)
ELECTRONIC DATA SYSTEMS)
CORPORATION,)
)
Defendant.)

**DEFENDANT'S MOTION *IN LIMINE* TO EXCLUDE EVIDENCE REGARDING A
LETTER AND EVIDENCE REGARDING A TAPE RECORDING
MADE BY PLAINTIFF'S COUNSEL**

Defendant Electronic Data Systems Corporation ("EDS") respectfully moves for an order *in limine* to exclude all evidence, testimony and direct or indirect references by plaintiff Hestal Lipscomb, plaintiff's counsel and any witnesses regarding a letter plaintiff's counsel sent to fax number 1-800-377-4286 and the purported responses to that letter, which were recorded in plaintiff's counsel's voicemail.

The reasons supporting this motion are more fully set forth in EDS's Memorandum in Support of its Motion *in Limine*, which is filed contemporaneous herewith and is incorporated by reference. Pursuant to District of Delaware Local Rule 7.1.1, counsel for EDS discussed the filing of this motion with plaintiff's counsel prior to its filing. Plaintiff's counsel does not consent to the relief sought herein.

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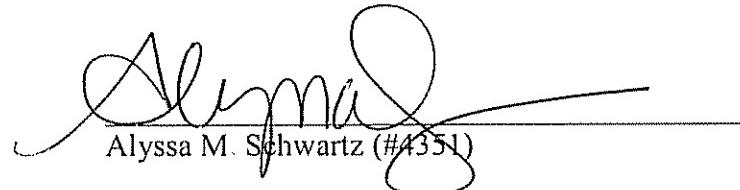
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Dated: November 14, 2006

Attorneys for Defendant
Electronic Data Systems Corporation

CERTIFICATION PURSUANT TO
DISTRICT OF DELAWARE LOCAL RULE 7.1.1

Counsel for defendant Electronic Data Systems Corporation consulted with counsel for the plaintiff pursuant to District of Delaware Local Rule 7.1.1 and determined that plaintiff does not consent to the relief sought in the attached motion.



Alyssa M. Schwartz (#4351)

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FOR THE DISTRICT OF DELAWARE

HESTAL LIPSCOMB,)
)
Plaintiff,) C.A. No. 05-477-SLR
)
v.)
)
ELECTRONIC DATA SYSTEMS)
CORPORATION,)
)
Defendant.)

[PROPOSED] ORDER

After considering defendant Electronic Data Systems Corporation's ("EDS") Motion *in Limine* to Exclude Evidence Regarding a Letter and Evidence Regarding a Tape Recording Made by Plaintiff's Counsel (the "Motion"), and all briefing and any argument thereon, and good cause having been shown for the relief sought in the Motion,

IT IS HEREBY ORDERED this _____ day of _____, 2006 that the Motion is GRANTED and all evidence, testimony and direct or indirect references by plaintiff Hestal Lipscomb, plaintiff's counsel and any witnesses regarding a letter plaintiff's counsel sent to fax number 1-800-377-4286 and the purported responses to that letter, which were recorded in plaintiff's counsel's voice mail, and

JUDGE SUE R. ROBINSON